

<b>OIPEE TRANSMITTAL</b> <b>for FY 2004</b> <b>(Small Entity)</b>		<i>Complete if Known</i>	
		Application Number	09/762,006
		Filing Date	February 1, 2001
		First Named Inventor	Hans-Jörg EIBL, et al
		Examiner Name	Stockton, Laura
Group Art Unit		1626	
Total Amount of Payment	(\$)/N/A	Attorney Docket Number	2923-123

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status.

2. ☐ Payment Enclosed:

☐ Check

☐ Credit Card

**FEE CALCULATION**

**1. FILING FEE**

Fee Code	Fee \$	Fee Description	Fee Paid
2001	385	Utility filing fee	[ ]
2002	170	Design Filing Fee	[ ]
2003	265	Plant Filing Fee	[ ]
2004	385	Reissue Filing Fee	[ ]
2005	80	Provisional Filing Fee	[ ]

**SUBTOTAL \$**

**2. CLAIMS**

Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee Paid
[ ]	[ ]	[ ]	- 20** = [ ]	x \$ 9 = [ ]	[ ]
[ ]	[ ]	[ ]	- 3** = [ ]	x 43 = [ ]	[ ]
[ ]	[ ]	[ ]	+	145 = [ ]	[ ]

\*\*or number previously paid, if greater;

**SUBTOTAL \$**

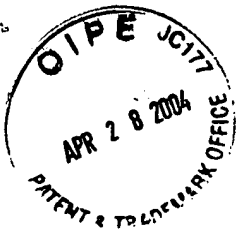
**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
2051	65	Surcharge - late filing fee or oath [ ]	[ ]
2052	25	Surcharge - late provisional filing fee or cover sheet [ ]	[ ]
1053	130	Non-English specification [ ]	[ ]
1812	2,520	For filing a request for reexamination [ ]	[ ]
1804	920	Requesting publication of SIR prior to Examiner action [ ]	[ ]
1805	1,840*	Requesting publication of SIR after Examiner action [ ]	[ ]
2251	55	Extension for reply within first month [ ]	[ ]
2252	210	Extension for reply within second month [ ]	[ ]
2253	475	Extension for reply within third month [ ]	[ ]
2254	740	Extension for reply within fourth month [ ]	[ ]
2255	1,005	Extension for reply within fifth month [ ]	[ ]
2401	165	Notice of Appeal [ ]	[ ]
2402	165	Filing a brief in support of an appeal [ ]	[ ]
2403	145	Request for Oral Hearing [ ]	[ ]
1451	1,510	Petition to institute a public use proceeding [ ]	[ ]
2452	55	Petition to revive -unavoidable [ ]	[ ]
2453	475	Petition to revive - unintentional [ ]	[ ]
2501	665	Utility issue fee (or reissue) [ ]	[ ]
2502	240	Design issue fee [ ]	[ ]
2503	320	Plant issue fee [ ]	[ ]
1460	130	Petitions to the Commissioner [ ]	[ ]
1807	50	Processing fee under 37 CFR 1.17(q) [ ]	[ ]
1806	180	Submission of Information Disclosure Statement [ ]	[ ]
8021	40	Recording each patent assignment per property (times number of properties) [ ]	[ ]
2809	385	Filing a submission after final rejection (37 CFR 1.129(a)) [ ]	[ ]
2810	385	For each additional invention to be examined (37 CFR 1.129(b)) [ ]	[ ]
2801	385	Request for Continued Examination (RCE) [ ]	[ ]
1802	900	Request for expedited examination of a design application [ ]	[ ]
1504	300	Publication fee for early, voluntary, or normal publication [ ]	[ ]
1505	300	Publication fee for republication [ ]	[ ]
1455	200	Filing an application for patent term adjustment [ ]	[ ]
1456	400	Request for reinstatement of term reduced [ ]	[ ]
Other fee (specify) [ ]			[ ]

\* Reduced by Basic Filing Fee Paid **SUBTOTAL \$**

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Patrick T. Skacel, Reg. No. 47,948		
SIGNATURE		DATE	4/28/04
		DEPOSIT ACCOUNT USER ID	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/762,006 Confirmation No.: 6539  
Applicants/Inventor: Hans-Jörg EIBL, et al.  
Filed: February 1, 2001  
TC/A.U.: 1626  
Examiner: Stockton, Laura  
Attorney Docket Number: 2923-123  
Customer No.: 6449

**REQUEST FOR RECONSIDERATION OF  
NON-ENTRY OF MARCH 29, 2004 AMENDMENT**

Director of the United States Patent  
and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

April 28, 2004

Sir:

This Request is being submitted following Applicants' receipt of the Advisory Action mailed April 9, 2004 in connection with the above-identified application. In the Advisory Action, the Examiner indicated that Applicants' March 29, 2004 Amendment Under 37 C.F.R. §1.116 would not be entered because it would raise new issues requiring further consideration or search and because it would raise the issue of new matter. Applicants hereby request that the Examiner reconsider and withdraw her refusal to enter the March 29, 2004 Amendment. Applicants believe the Amendment raises no new issues, and specifically involves no new matter. Furthermore, Applicants believe that the March 29, 2004 Amendment places the present application in condition for allowance.

**Remarks** begin on page 2 of this paper.